

TABLE OF ILLUSTRATIVE ACTIONS

	NATURE OF CIRCUMSTANCES	FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(a)	Conduct Prejudicial to the District Government		
(1)	Conviction of any felony.	Removal	
(2)	Conviction of any criminal offense that is related to the employee's duties or his or her agency's mission.	Removal	
(3)	Indictment or charge of any felony or a criminal offense that is related to the employee's duties or his or her agency's mission.	Enforced leave pending criminal prosecution.	
(4)	On-duty conduct that an employee should reasonably know is a violation of law or regulation.	Reprimand to Removal	Removal
(5)	Off-duty conduct that adversely affects the employee's job performance or trustworthiness, or adversely affects his or her agency's mission or has an otherwise identifiable nexus to the employee's position.	Counseling to 30-day suspension	15-day suspension to Removal
(6)	Concealing, removing, mutilating, altering, or destroying government records required to be kept by statute, regulation, Mayor's Order, document hold or subpoena, or other similar requirements.	Reprimand to Removal	14-Day Suspension to Removal
(7)	Malicious or intentional damage to or loss of District owned or leased property.	Suspension to Removal	14-Day Suspension to Removal
(8)	Using public office for significant private gain.	Removal	

NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(9)	Unethical or improper use of official authority or credentials.	Counseling to Removal	Removal
(10)	Unauthorized disclosure or use of (or failure to safeguard) information protected by statute or regulation or other official, sensitive or confidential information.	Counseling to Removal	Removal
(11)	Obtaining a direct or indirect financial interest that an employee should reasonably expect to be in conflict or appear to be in conflict with his or her official duties and responsibilities.	Reprimand to Removal	Removal
(12)	Use of (or authorizing the use of) District owned or leased property, services or funds for inappropriate or non-official purposes.	Counseling to Removal	Removal
(13)	Use of (or authorizing the use of) District owned or leased vehicles such as cars, vans, trucks, buses, aircraft, boats or any other motor vehicle for use other than official purposes.	15-Day Suspension to Removal	Removal
(14)	Unauthorized use, removal or possession of an item of value belonging to another.	Counseling to Removal	Removal
(15)	Assaulting, fighting, threatening, attempting to inflict or inflicting bodily harm while on District property or while on duty.	14-Day Suspension to Removal	30-Day Suspension to Removal
(16)	Use of abusive, offensive, unprofessional, distracting, or otherwise unacceptable language, gestures, or other conduct; quarreling; creating a disturbance or disruption; or inappropriate horseplay.	Counseling to 15-Day Suspension	5-Day Suspension to Removal

NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(17)	Failure to timely and properly pay any debts to the District government.	Reprimand to 14-Day Suspension	1-Day Suspension to Removal
(18)	Gambling while on duty or on District government property.	Counseling to Removal	Removal
(19)	Participating in a strike, work stoppage, slowdown, sickout or similar activity against the District government.	Removal	

(b) False Statements / Records --

(1)	Deliberate falsification of a material item on an application for employment, or other personal history record by omission or by making a false entry.	14-Day Suspension to Removal	Removal
(2)	Misrepresentation, falsification or concealment of material facts or records in connection with an official matter, including investigations	Reprimand to Removal	Removal
(3)	Knowingly and willfully making an incorrect entry on an official record or approving an incorrect official record.	Counseling to Removal	Removal
(4)	Knowingly and willfully reporting false or misleading material information or purposely omitting material facts, to any superior.	7-Day Suspension to Removal	Removal

(c) Fiscal Irregularities --

(1)	Knowing submission of (or causing or allowing the submission of) falsely stated time logs, leave forms, travel or purchase vouchers, payroll, loan, or other fiscal document(s).	Suspension to Removal	Removal
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NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(2)	Unauthorized and/or improper use of property, funds, or any other thing of value coming into an employee's custody as a result of employment.	Counseling to Removal	Removal
(3)	Failure to properly account for or make proper distribution of any property, or any other thing of value coming into an employee's custody as a result of employment.	Suspension to Removal	Removal
(4)	Concealment of (or failing to report) missing, lost or misappropriate funds, or other fiscal irregularities.	Reprimand to Removal	14-Day Suspension to Removal
(d) Failure/Refusal to Follow Instructions -			
(1)	Negligence, including the careless failure to comply with rules, regulations, written procedures, or proper supervisory instructions.	Counseling to Removal	5-Day Suspension to Removal
(2)	Deliberate or malicious refusal to comply with rules, regulations, written procedures or proper supervisory instructions.	3-day Suspension to Removal	14-Day Suspension to Removal
(3)	Failure to submit required statement of financial interests and outside employment.	Counseling to 3-Day Suspension	5-Day Suspension to Removal
(e) Neglect of Duty*** --			
	Careless or negligent work, general negligence, loafing, sleeping or dozing on-duty, wasting time, and conducting personal business while on duty.	Counseling to Removal	5-Day Suspension to Removal
(f) Attendance Related Offenses --			

(1)	Unexcused tardiness, including delay in:	Counseling to	5-Day
	(a) Reporting at the scheduled starting time;	1-Day Suspension	Suspension to Removal
	(b) Returning from lunch or break periods; and		
	(c) Returning from an authorized absence to a work station.		
(2)	Unauthorized absence of one (1) workday or less, including leaving the work station without permission or before the end of the workday.	Counseling to 3-Day Suspension	3-Day Suspension to Removal
(3)	Unauthorized absence of one (1) workday or more, but less than five (5) workdays.	Suspension to Removal	14-Day Suspension to Removal

NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(4)	Unauthorized absence of five (5) workdays or more.	Removal	Removal

(g) Intoxicants – Alcohol and Spirits

(1)	Unauthorized use of intoxicants while on District Government property, including where official duties are performed.	Reprimand to Removal	30-Day Suspension to Removal
(2)	Being under the influence of intoxicants when reporting to work or any time while on duty.	Suspension to Removal	30-Day Suspension to Removal
(3)	Operating a government owned or leased vehicle (or a privately owned vehicle while on duty) while under the influence of intoxicants.	Removal	

(h) Controlled Substances/Paraphernalia --

(1)	Possession of an illegal drug, drug paraphernalia, or unauthorized controlled substance while on duty, on District government property or District government-controlled property, or on premises where official duties are performed.	5-Day Suspension to Removal	Removal
(2)	Use of an illegal drug or unauthorized controlled substance while on duty, on District government property or District government-controlled property, or on premises where official duties are performed.	14-Day Suspension to Removal	Removal
(3)	Reporting to or being on duty while under the influence of an illegal drug or unauthorized controlled substance.	14-Day Suspension to Removal	Removal
(4)	Sale or distribution of an illegal drug or controlled substance.	Removal	

NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(5)	Operating a government owned or leased vehicle (or privately-owned vehicle on official business) while under the influence of an illegal drug.	Removal	
(6)	Interfering with, or refusing or failing to submit to a properly ordered or authorized drug test, including substituting, adulterating, or otherwise tampering with a urine sample.	Removal	

(i) Safety and Health Violations --

(1)	Failure to report an accident and/or injury as required.	Counseling to Removal	14-Day Suspension to Removal
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NATURE OF CIRCUMSTANCES	FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(2) Failure or refusal to wear/use required protective equipment (<i>e.g.</i> seat belts, earplugs, eye protection, etc.)	Counseling to 14-Day Suspension	14-Day Suspension to Removal
(3) Operating a District owned or leased vehicle (or privately owned vehicle while on official business) without a District or State driver's license.	Suspension to Removal	Removal
(4) Failure or refusal to observe and/or enforce safety and health regulations or to perform duties in a safe manner.	Reprimand to Removal	5-Day Suspension to Removal

(j) Discriminatory Practices --

(1) Improperly taking or failing to take an official action based on a classification protected under the D.C. Human Rights Act or the Civil Rights Act of 1964.	Reprimand to Removal	Removal
(2) Any reprisal or retaliation against an individual because of his or her involvement in the EEO complaint process.	10-Day Suspension to Removal	Removal

NATURE OF CIRCUMSTANCES	FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(3) Use of remarks or gestures that relate to and insult or denigrate an individual based on any actual or perceived trait or classification protected under the D.C. Human Rights Act or the Civil Rights Act of 1964.	Counseling to 15-Day Suspension	15-Day Suspension to Removal
(4) Negligent or insensitive conduct with respect to an individual relating to any actual or perceived trait or classification protected under the D.C. Human Rights Act or the Civil Rights Act of 1964.	Counseling to 5-Day Suspension	5-Day Suspension to Removal

NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(5)	Failure of a supervisor to take appropriate action regarding allegations or findings of discriminatory practices.	5-Day Suspension to Removal	Removal
(k) Sexual Misconduct --			
(1)	Sexual assault or abuse or attempted sexual assault or abuse.	Removal	
(2)	Inappropriate and/or unwelcome touching or other physical contact.	14-Day Suspension to Removal	30-Day Suspension to Removal
(3)	Pressure for (or official action based on) sexual favors, including taking any action for or against an employee whether favorable or unfavorable, because of the granting of a sexual favor or the withholding of a sexual favor.	Removal	
(4)	Inappropriate and/or unwelcome teasing, jokes, actions, gestures, display of visual material of a sexual nature or remarks of a sexual nature.	Counseling to 30-Day Suspension	14-Day Suspension to Removal
NATURE OF CIRCUMSTANCES		FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
(l) Prohibited Personnel Actions --			
	Abuse of authority or commission of a prohibited personnel action.	Suspension to Removal	Removal
(m) Performance Deficits --			
	Failure to meet established performance standards;	Reassignment Reduced	

NATURE OF CIRCUMSTANCES	FIRST OCCURRENCE	SUBSEQUENT OCCURRENCES
	Grade Removal	
(n) Inability to carry out assigned duties		
Any circumstance that prevents an employee from performing the essential functions of his or her position, and for which no reasonable accommodation has been requested or can be made, unless eligible for leave protected under the D.C. Family Medical Leave Act.	Removal	

*** “Neglect of duty” as used in section 1605.4(e) is defined as carrying out or failing to carry out official duties or responsibilities as would be expected of a reasonable individual in the same position. Neglect of duty includes, a failure to perform assigned tasks or duties, undue delay in completing assigned tasks or duties, careless work habits, wasting time, conducting personal business while on duty, abandoning an assigned post, sleeping or dozing on the job, and loafing.